

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 16, 2009

DIVISION TWO

[illegible]

The appeal is dismissed. As the prevailing party, respondent is entitled to recover his costs on appeal: the probate court must decide who will pay the award. (Cal. Rules of Court, rule 8.278(a)(1)-(2), (4).)

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

B208475 Los Angeles County, D.C.F.S. (Not for Publication)
v.
J.E.

The appeal from the dependency court order of April 21, 2008, is dismissed for lack of jurisdiction. The orders of May 5 and May 28, 2008 are affirmed.

Boren, P.J.

We concur: Ashmann-Gerst, J.
Chavez, J.

DIVISION THREE

B202717 Rebecca A. Rickley et al (Not for Publication)
v.
Marvin Goodfriend et al

The judgment is affirmed. Appellants Natasha Roit and Rebecca A. Rickley are to pay all costs on appeal.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

B201375 People (Not for Publication)
v.
Ramon Luis Maestas

The judgment (order granting probation) is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B197747 Thorpe Insulation Company (Not for Publication)
v.
Century Indemnity Company

The order denying Cal Union's motion to compel Wellington arbitration is reversed and the matter is remanded for further proceedings consistent with this opinion. Cal Union shall recover its costs on appeal.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

DIVISION FOUR

B204023 People (Not for Publication)
v.
Avendano

The judgment is modified to reflect: (1) as to count 3, the lesser firearm enhancements (§ 12022.53, subs. (b) & (c)) are imposed and stayed, and (2) to delete the \$10,000 parole revocation fine. As modified, the judgment is affirmed. The superior court is directed to prepare an amended abstract of judgment reflecting these changes and to forward a copy to the Department of Corrections and Rehabilitation.

Willhite, Acting P.J.

We concur: Manella, J.
Suzukawa, J.

B203815 People (Not for Publication)
v.
Samuel

The gang-related condition of probation is modified to read: Defendant shall not associate with any person known by defendant to be a member of a gang, and shall not knowingly engage in any gang-related activity. The drug related condition is modified to read: Defendant shall not use or possess any narcotics, dangerous or restricted drugs or associated paraphernalia, and shall stay away from places where defendant knows drug users, buyers, or sellers congregate, except in an authorized drug counseling program. All other conditions of probation remain the same, and, as so modified the judgment (order granting probation) is affirmed.

Willhite, J.

We concur: Epstein, P.J.
Suzukawa, J.

March 16, 2009 (Continued)

DIVISION FOUR (continued)

B208891 People (Not for Publication)
v.
Raygoza

The judgment is affirmed.

Manella, J.

We concur: Epstein, P.J.
Suzukawa, J.

[illegible]

The judgment is affirmed.

Manella, J.

We concur: Willhite, Acting P.J.
Suzukawa, J.

B200070 Pace (Not for Publication)
v.
Century Gaming Management, Inc., etc.

The judgment is affirmed. Respondent is awarded its costs on appeal.

Manella, J.

We concur: Epstein, P.J.
Willhite, J.

DIVISION FIVE

B206606 People (Not for Publication)
v.
Eric Caballero

The appeal is dismissed.

Turner, P.J.

I concur: Armstrong, J.
I concur: Kriegler, J. (Opinion)

B208628 People (Not for Publication)
v.
Arturo Baeza, Jr.

The probation revocation fine if \$200 is ordered stricken. The judgment of conviction is affirmed in all other respects.

Armstrong, Acting P.J.

We concur: Mosk, J.
Kriegler, J.

B207132 People (Not for Publication)
v.
Gregory Hudson

The judgment is affirmed.

Armstrong, J.

We concur: Turner, P.J.
 Mosk, J.

DIVISION FIVE (continued)

B206103 People (Not for Publication)
v.
Kenny McNeal

The judgment is affirmed.

Armstrong, J.

We concur: Turner, P.J.
 Kriegler, J.

B199210 People (Not for Publication)
v.
Christopher Prevedello

The judgments of conviction of Counts 2 and 3 are reversed, those charges are remanded to the trial court with instructions to dismiss them, and the sentence on Count 4 shall be increased to six years. The judgments of convictions on Counts 1, 4, 5, 6, and 7 are reversed for the limited purpose of remanding the case to the trial court for a determination of the proper scope of defendant's discovery request and an in camera inspection of Officer Jaramillo's personnel records to determine whether they contain information relevant to defendant's misconduct defense. If, after in camera review, the trial court determines there is no discoverable information in the relevant personnel records, the original judgments of conviction on Counts 1, 4, 5, 6, and 7, which we have otherwise affirmed, shall be reinstated, and the trial court shall resentence defendant in accordance with this opinion. If the trial court determines that there is discoverable material, it should be turned over to defendant so that he may determine if it would have led to any relevant, admissible evidence that could have been presented at trial. If defendant can demonstrate that he was prejudiced by the denial of discovery, the trial court shall order a new trial. If defendant cannot demonstrate any such prejudice, the original judgments of conviction on Counts 1, 4, 5, 6, and 7 shall be reinstated, and the trial court shall resentence defendant in accordance with this opinion.

Mosk, J.

We concur: Turner, P.J.
 Kriegler, J.

March 16, 2009 (Continued)

DIVISION FIVE (continued)

B210408 Los Angeles County, D.C.F.S. (Not for Publication)

V.
L.L.
L.T.

The judgment is affirmed.

Mosk, J.

We concur: Armstrong, Acting P.J.
 Kriegler, J.

DIVISION SIX

B206490 People (Not for Publication)

V.
Ross

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
 Coffee, J.

B209268 Human Services Agency (Not for Publication)

V.
L.B.

The orders are affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

March 16, 2009 (Continued)

DIVISION SIX (continued)

B202533 People (Not for Publication)
v.
Collins

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

B206435 Ventura Co. Human Services Agency (Certified for Publication)
v.
C.M.

The order is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Yegan, J.

B205091 Peak-Las Positas (Certified for Publication)
v.
Bollag

The judgment is affirmed. Respondent PLP is awarded costs and attorney's fees on appeal in an amount to be determined by the trial court on noticed motion.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

DIVISION SEVEN

B207968 Popescu (Not for Publication)

v.

Keyes European, LLC, et al.

The judgment of the trial court is reversed with instructions to vacate its decision denying appellants' motion to compel arbitration and to enter a new order granting appellants' motion for order of court for arbitration. Appellants are entitled to costs of appeal.

Woods, J.

We concur: Perluss, P.J.
 Zelon, J.

B199813 Chang (Certified for Publication)

v.

Lederman

The judgment is affirmed. Lederman is to recover his costs on appeal.

Perluss, P.J.

We concur: Woods, J.
 Zelon, J.

B210122 In re B.T. (Not for Publication)

Los Angeles County, D.C.F.S.

v.

Ericka T.

The jurisdiction findings and disposition orders are affirmed. The matter is remanded to the juvenile court for compliance with ICWA notification requirements and for further proceedings not inconsistent with this opinion.

Perluss, P.J.

We concur: Woods, J.
 Jackson, J.

March 16, 2009 (Continued)

DIVISION SEVEN (continued)

B209910 Lawfund Management Group
 v.
 Bohbot

B213869 Lawfund Management Group
 v.
 Bohbot

Filed order consolidating above captioned appeals.